

[Metro Nashville Letterhead]

November 1, 2005

Mr. Charles Garrett, Assistant Commissioner
Division of Real Property Administration
Department of Finance and Administration
State of Tennessee
William R. Snodgrass Tennessee Tower
22nd Floor, 312 Eighth Avenue North
Nashville, TN 37243

Dear Mr. Garrett:

Thank you for your timely response to my letter of October 3, 2005 about the operations and maintenance of the State steam tunnels recently conveyed to Metro. We are pleased that you share our concerns for the health and safety of those who enter into and work in the tunnels for our mutual benefit.

In light of our common interest in worker health and safety, we would like to reemphasize the matter of tunnel communications, about which we were not as clear as we needed to be in my prior letter. The communication system we were talking about is one required by OSHA for confined space entry in accordance with 29 CFR 1910.146. Such a communication system is for use by persons working in the tunnels.

Our system operators would like the State install such a system as soon as practicable. They suggest the system designed for the mining industry and already in use at the TSU campus, which would match the one we have in the rest of our distribution tunnels. That would allow us to use the same radios.

I would like to suggest that we have a meeting on this subject as soon as possible so discuss this matter. I am asking Tim Hestle, the district energy system's Operations Manager, to work with you and your colleagues to arrange such a meeting. He can be reached at the Energy Generating Facility at 615-742-1883. We will be happy to work with the State to see that the OSHA requirements are met, and that the tunnels remain safe for both our and your personnel.

Meanwhile, I have been assured that the matter noted in your letter about condensate pipe leaks has already been addressed. Thank you for concerns, and be sure to let me know how I can be of assistance in resolving these matters.

Sincerely,

David L. Manning
Director of Finance

Copy: Mr. Harvey Gershman, Metro Consultant
Mr. Michael Bradley, Metro Liaison
Mr. John Schaffer, Constellation

Mr. Tim Hestle, Constellation
Mr. Christopher Cooper
Mr. Charles Harrison
Ms. Margaret Ison
Mr. Bill Griffith
Mr. Dave Edmunds
Mr. Charles Dunn
Mr. Bill Bauer